

Docket: 71360

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Boaz et al.

Serial No.: 09/957,182

Group Art Unit: 1614

Filed: September 20, 2001

Examiner:

For: HIGHLY ENANTIOMERICALLY PURE LACTAM-SUBSTITUTED  
PROPANOIC ACID DERIVATIVES AND METHODS OF MAKING AND  
USING SAME

Assistant Commissioner for Patents  
Washington, D.C. 20231

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR 1.97(b)**

In accordance with 37 CFR 1.56, the documents listed on the attached Information Disclosure Statement by Applicants are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. Copies of the cited documents are enclosed.

The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the application.

Respectfully submitted,

*Michael J. Blake*

Michael J. Blake  
Registration No. 37,096

*Oct. 29, 2001*

Date

**CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

*Jo Ann Elam*  
Jo Ann Elam

*11-9-01*

Date

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Substitute for form 1449				Attorney Docket Number	71360
				First Named Inventor	Boaz et al.
<i>COMPLETE IF KNOWN</i>					
				Application Number	09/957,182
				Filing Date	September 20, 2001
				Group Art Unit	1614
Sheet	1	of	2	Examiner Name	

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
		4,696,943		Gobert et al	09/29/87

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author(in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume-issue number(s), publisher, city and/or country where published.				T <sup>6</sup>
		Ohkuma et al. "Catalytic Asymmetric Synthesis," 2nd Ed. Wiley-VCH, Inc., pages 1-17 (2000)				
		Zoller et al. "Amidoalkylation of Mercaptans With Glyoxylic Acid Derivatives" Tetrahedron, Vol. 31:pages 863-866 (1975)				
		Schmidt et al. "Amino Acids and Peptides; XLIII, Dehydroamino Acids; XVIII, Synthesis of Dehydroamino Acids and Amino Acids from N-Acyl-2-(dialkoxypyrophosphinyl)-glycin Esters; II Synthesis, pages 53-60, January 1984				

Examiner Signature		Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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<b>COMPLETE IF KNOWN</b>					
				Application Number	09/957,182
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Sheet	2	of	2	Examiner Name	

		Richards et al, Tetrahedron: Asymmetry, 1998, Vol. 9, pages 2377-2407	
		Fiorini et al, Journal of Molecular Catalysis, 1979, Vol. 5, pages 303-310	
		Pracejus et al, Tetrahedron Letters, 1977, Vol. 39, pages 3497-3500	
		Marquarding et al, Journal of the American Chemical Society, 1970, Vol. 92, pages 5389-5393	
		Armstrong et al, Analytical Chemistry, 1985, Vol. 57, No. 2, pages 481-484	
		Boaz, Tetrahedron Letters, 1989, Vol. 30, No. 16, pages 2061-2064	
		Hayashi et al, Bull Chemical Society of Japan, 1980, Vol. 53, No. 4, pages 1138-1151	
		Schmidt et al, Synthesis, 1992, pages 487-490	

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## Notice of References Cited

Application/Control No.  
09/957,182

Applicant(s)/Patent Under Reexam  
Boaz et al.

Examiner  
Bruck Kifle, Ph.D.

Art Unit  
1624

Page 1 of 1

### U.S. PATENT DOCUMENTS

	Document Number Country Code-Number-Kind Code	Date MM-YYYY <sup>1</sup>	Name	Classification <sup>2</sup>	
A	3,022,293	2/1962	Miller	260	239.3
B	4,552,889	11/1985	Scott	514	424
C					
D					
E					
F					
G					
H					
I					
J					
K					
L					
M					

### FOREIGN PATENT DOCUMENTS

	Document Number Country Code-Number-Kind Code	Date MM-YYYY <sup>1</sup>	Country	Name	Classification <sup>2</sup>
N					
O					
P					
Q					
R					
S					
T					

### NON-PATENT DOCUMENTS

	Include, as applicable: Author, Title, Date, Publisher, Edition or Volume, Pertinent Pages
U	Easton et al., Tetrahedron Letters (1990), 31(24, 3471-4.
V	
W	
X	

\* A copy of this reference is not being furnished with this Office action. See MPEP § 707.05(a).

<sup>1</sup> Dates in MM-YYYY format are publication dates.

<sup>2</sup> Classifications may be U.S. or foreign.